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HOUSE BILL 775

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO GOVERNMENTAL CONDUCT; AMENDING A SECTION OF LAW
REGARDING CONTRACTS INVOLVING FORMER PUBLIC OFFICERS OR
EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 10-16-8 NMSA 1978 (being Laws 1967,
Chapter 306, Section 8, as amended) is amended to read:

"10-16-8. CONTRACTS INVOLVING FORMER PUBLIC OFFICERS OR
EMPLOYEES--REPRESENTATION OF CLIENTS AFTER GOVERNMENT
SERVICE. --

A. A state agency shall not enter into a contract
with, or take any action favorably affecting, any person or
business that is:

(1) represented personally in the matter by a
person who has been a public officer or employee of the state

underscored material = new
[bracketed material] = delete

1 within the preceding year if the value of the contract or
2 action is in excess of one thousand dollars (\$1,000) and the
3 contract is a direct result of an official act by the public
4 officer or employee; or

5 (2) assisted in the transaction by a former
6 public officer or employee of the state whose official act,
7 while in state employment, directly resulted in the agency's
8 making that contract or taking that action.

9 B. For a period of one year after leaving
10 government service or employment, a former public officer or
11 employee shall not represent a person in his dealings with the
12 government on a matter in which the former public officer or
13 employee participated personally and substantially while a
14 public officer or employee.

15 C. For a period of one year after leaving
16 government service or employment, a former public officer or
17 employee shall not represent for pay a person before the
18 government agency at which the former public officer or
19 employee served or worked. "

20 Section 2. EFFECTIVE DATE. --The effective date of the
21 provisions of this act is July 1, 1999.